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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,967	11/21/2001	Travis J. Parry	10008078-1	1662

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
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2153

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/989,967

Applicant(s)

PARRY, TRAVIS J.

Examiner

Philip S. Scuderi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments, see pages 7-12 filed 16 January 2007 (hereinafter "Remarks"), have been considered, but they are not fully persuasive.

1. Applicant contends that U.S. Patent No. 6,021,429 to Danknick (hereinafter "Danknick") does not teach the claimed term "embedded webserver" because one of ordinary skill in the art would allegedly interpret the term to necessarily require use of the hypertext transfer protocol (HTTP). See Remarks at 8.

The examiner agrees. However, the examiner takes official notice that HTTP was notoriously well known. It would have been obvious to one of ordinary skill in the art to HTTP here for numerous reasons such as because of its wide deployment and acceptance, its ability to work well across networks and through firewalls, etc.

2. Applicant contends that Danknick does not teach an imaging device that stores a list of other imaging device network addresses and communicates the list of other imaging device network addresses through a network interface to an imaging device management facility. Remarks at 9-10.

The examiner disagrees. Danknick clearly teaches an imaging device (print engine) that stores a list of other imaging device network addresses and communicates the list of other imaging device network addresses through a network interface (30) to an imaging device management facility (network administrator's remote computer). See Danknick at col. 8, ll. 29-64.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-11, and 13-19 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,021,429 to Danknick (hereinafter “Danknick”).

As per claim 1, Danknick teaches an imaging device, comprising:

an image generator (print engine), wherein the image generator is a print engine internal [to] a first imaging device (printer) (figure 2; column 5, line 45 – column 6, line 49);

a network interface (30), wherein the network interface is adapted to couple the first imaging device (print engine) to a network (LAN) (figure 2; column 5, line 45 – column 6, line 49); and

a controller (NEB) coupled to the network interface (30) and the image generator (print engine), wherein the controller (NEB) is internal to the first imaging device (printer) and is adapted to store a list of other imaging device network addresses (addresses of printers, copiers, fax machines, etc.) (column 7, line 45 – column 8, line 28);

wherein the controller (NEB) is adapted to communicate the list of other imaging device network addresses through the network interface (30) to an imaging device management facility upon request (column 8, lines 29-64).

As per claim 2, Danknick teaches the imaging device of claim 1, wherein the list of other imaging device network addresses further comprises a list of other imaging device network addresses, where the other imaging devices are similar to the first imaging device (column 7, line 45 – column 8, line 28).

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As per claim 3, Danknick teaches the imaging device of claim 1, wherein the list of other imaging device network addresses further comprises imaging device supplemental information (column 7, line 45 – column 8, line 28).

As per claim 4, Danknick teaches the imaging device of claim 1, wherein the controller (NEB) is adapted to store a list of other network addresses in a register (column 7, line 45 – column 8, line 28).

As per claim 6, Danknick teaches the imaging device of claim 1, wherein the list of other network addresses is a sequential list (column 7, line 45 – column 8, line 28).

As per claim 7, Danknick teaches the imaging device of claim 1, wherein the controller (NEB) is adapted to discover the list of other network addresses (column 9, line 50 – column 11, line 67).

As per claim 8, Danknick teaches the imaging device of claim 7, wherein discovering the list of other network addresses further comprises pinging network addresses (column 10, lines 25-45).

As per claim 9, Danknick teaches the imaging device of claim 7, wherein discovering the list of other network addresses is scheduled to occur at specific times (expiration times) (column 10, lines 25-45).

As per claim 10, Danknick teaches the imaging device of claim 7, wherein a history list of previously valid network addresses is utilized in discovering the list of other network addresses (column 10, lines 25-45).

As per claim 11, Danknick teaches the imaging device of claim 1, wherein a network device at a network address notifies the first imaging device when the network device comes online (imaging devices operating as slaves) (column 12, line 1 – column 13, line 4).

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As per claim 13, Danknick teaches a computer-usable medium having computer readable instructions stored thereon for execution by a processor of an imaging device to perform a method comprising:

determining a list of network addresses for other imaging devices similar to a first imaging device, wherein the first imaging device contains a print engine (column 5, line 45 – column 6, line 49);

storing the list of network addresses on the first imaging device (column 5, line 45 – column 6, line 49);

communicating with the other similar imaging devices by referring to the list of network addresses for the other imaging devices (column 5, line 45 – column 6, line 49); and

communicating the list of other imaging device network addresses through a network interface to an imaging device management facility (column 8, lines 29-64).

As per claim 14, Danknick teaches the computer-usable medium of claim 13, wherein determining the list of other network addresses for other imaging devices similar to the first imaging device further comprises discovering the network addresses for other imaging devices similar to the first imaging device (column 9, line 50 – column 11, line 67).

As per claim 15, Danknick teaches a method of operating an imaging device, the method comprising:

determining a list of network addresses for other imaging devices similar to a first imaging device, wherein the first imaging device contains a print engine (column 5, line 45 – column 6, line 49);

storing the list of network addresses on the first imaging device (column 5, line 45 – column 6, line 49);

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referring to the list of network addresses of other imaging devices for communication between imaging devices (column 5, line 45 – column 6, line 49); and

communicating the list of other imaging device network addresses through a network interface to an imaging device management facility (column 8, lines 29-64).

As per claim 16, Danknick teaches the method of claim 15, wherein determining the list of network addresses for other imaging devices similar to the first imaging device further comprises discovering the network addresses for other imaging devices similar to the first imaging device (column 5, line 45 -- column 6, line 49).

As per claim 17, Danknick teaches the method of claim 16, wherein discovering the list of other network addresses further comprises pinging network addresses (column 10, lines 25-45).

As per claim 18, Danknick teaches the method of claim 15, further comprising:
notifying the first imaging device when an imaging device associated with a network address of the list of network addresses for other imaging devices comes online (imaging devices operating as slaves) (column 12, line 1 – column 13, line 4).

As per claim 19, Danknick teaches the method of claim 16, further comprising storing additional information on each imaging device associated with the list of network addresses of other similar imaging devices wherein the additional information is imaging device supplemental information (column 7, line 45 – column 8, line 28).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the

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subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 6,021,429 to Danknick (hereinafter "Danknick").

As to claim 5, Danknick teaches the imaging device of claim 1, wherein the controller (NEB) further comprises an embedded server (column 8, lines 29-64).

As to claim 20, Danknick teaches the method of claim 15, further comprising:
directing the communication between the first imaging device and other similar imaging devices (controlling the NEB) with a server embedded in the first imaging device (column 8, lines 29-64).

Danknick does not expressly disclose that the embedded server communicates via HTTP, which would make it a "webserver."

The examiner takes official notice that HTTP was notoriously well known. It would have been obvious to one of ordinary skill in the art to HTTP here for numerous reasons such as because of its wide deployment and acceptance, its ability to work well across networks and through firewalls, etc.

Conclusion

Applicant's amendment filed on 19 October 2006 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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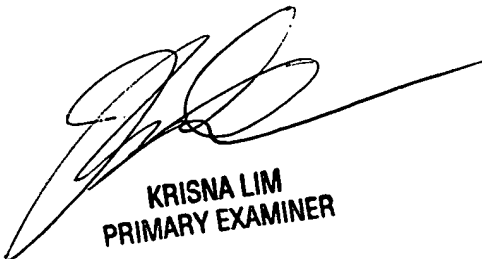
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PS



KRISNA LIM
PRIMARY EXAMINER